

07/11/01  
1c961 U.S. PTO

07-12-01

A. J. C. D.

Please type a plus sign (+) inside this box ☒

PTO/SB/05 (03-01)

Approved for use through 10/31/2002 OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 36.US3.DIV  
First Inventor DUMAS MILNE EDWARDS  
Title COMPLEMENTARY DNAs  
Express Mail Label No. EL821903714US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
- ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
- ☒ Specification [Total Pages 180]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 14]
- ☐ Oath or Declaration [Total Pages 2]
  - ☐ Newly executed (original or copy)  
Copy from a prior application (37 CFR 1.63 (d))
  - ☒ (for continuation/divisional with Box 18 completed)
  - ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
- ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - ☒ Computer Readable Form (CRF)
  - Specification Sequence Listing on:
    - ☒ CD-ROM or CD-R (2 copies); or
    - ☐ paper
  - ☒ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☒ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
- ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
- ☒ Other: Estab. of Rt of Assignee & POA from parent appl

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09 / 247,155  
Prior application information: Examiner J. Brusca Group Art Unit. 1631

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	000027206 (Insert Customer No. or Attach bar code label here)	or <input checked="" type="checkbox"/> Correspondence address below
Name	John Lucas, Ph.D., J.D.	
Address	GENSET CORPORATION 10665 Sorrento Valley Road	
City	San Diego	State CA Zip Code 92121-1609
Country	U.S.A.	Telephone 858/597-2600 Fax 858/597-2601

Name (Print/Type)	John Lucas, Ph.D., J.D.	Registration No. (Attorney/Agent)	43,373
Signature	<i>John Lucas</i>	Date	11 July 01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

inside envelope

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09/903190  
07/11/01

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ ) 1,318.00

## Complete if Known

Application Number  
Filing Date  
First Named Inventor Jean-Baptiste DUMAS MILNE EDWARDS  
Examiner Name Unassigned  
Group Art Unit 1631  
Attorney Docket No. 36.US3.DIV

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number 50-1181  
Deposit Account Name GENSET CORPORATION
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☒ Payment Enclosed:  
☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	710
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ ) 710.00

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
21	-20** = 1	18	18
7	-3** = 4	80	320
Multiple Dependent		270	270

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 608.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 0.00

## SUBMITTED BY

Name (Print/Type) John Lucas, Ph.D., J.D.  
Signature

Registration No. (Attorney/Agent)

43,373

## Complete (if applicable)

Telephone 858/597-2600

Date 11 July 01

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

# PATENT APPLICATION FEE DETERMINATION RECORD

Application or Docket Number

36.US3.DIV

## CLAIMS AS FILED - PART I

(Column 1)

(Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a))		
TOTAL CLAIMS (37 CFR 1.16(c))	21 minus 20 = *	1
INDEPENDENT CLAIMS (37 CFR 1.16(b))	7 minus 3 = *	4
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))		

\* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

RATE	FEE		RATE	FEE
	\$ 355	OR		\$ 710
x \$ 9 =		OR	x \$ 18 =	18
x 40 =		OR	x 80 =	320
+ 135 =		OR	+ 270 =	270
TOTAL		OR	TOTAL	1,318

## CLAIMS AS AMENDED - PART II

(Column 1)

(Column 2)

(Column 3)

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDI- TIONAL FEE		RATE	ADDI- TIONAL FEE
	Total (37 CFR 1.16(c))	*	Minus	**	=	x \$		x \$	
	Independent (37 CFR 1.16(b))	*	Minus	***	=	x		x	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					+ =		+ =	
					TOTAL		OR	TOTAL	

(Column 1)

(Column 2)

(Column 3)

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDI- TIONAL FEE		RATE	ADDI- TIONAL FEE
	Total (37 CFR 1.16(c))	*	Minus	**	=	x \$		x \$	
	Independent (37 CFR 1.16(b))	*	Minus	***	=	x		x	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					+ =		+ =	
					TOTAL		OR	TOTAL	

(Column 1)

(Column 2)

(Column 3)

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDI- TIONAL FEE		RATE	ADDI- TIONAL FEE
	Total (37 CFR 1.16(c))	*	Minus	**	=	x \$		x \$	
	Independent (37 CFR 1.16(b))	*	Minus	***	=	x		x	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					+ =		+ =	
					TOTAL		OR	TOTAL	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

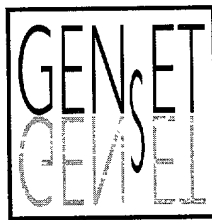
\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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FORM 0651-0032



G E N S E T

Direct Dial: (858) 597-2610  
E-Mail: john.lucas@genxy.com

July 10, 2001

**Express Mail Label No. EL821903714US**

Assistant Commissioner for Patents  
Box: Patent Application  
Washington, D.C. 20231

RE: U.S. Divisional Patent Application  
For: COMPLEMENTARY DNAs  
Inventor(s): Jean-Baptiste Dumas Milne Edwards; Aymeric Duclert,  
Lydie Bougueleret  
Our Ref.: 36.US3.DIV

Dear Sir:

Enclosed please find the above-identified Divisional patent application for filing with the United States Patent and Trademark Office. This application claims priority on Serial No. 09/247,155; filed February 9, 1999. The following documents are transmitted herewith:

	<u>Quantity</u>
1) Specification, Claims and Abstract	180
2) Application Data Sheet	2
3) Utility Patent Application Transmittal, Fee Transmittal for FY 2001, Patent Application Fee Determination Record	3
4) Drawings (Figures 1-12)	14
5) Copies of the Combined Declaration and Power of Attorney; the Establishment of Right of Assignee to take action & Revocation and Power of Attorney; and the Power of Attorney filed in the parent application	5
6) Statement under 37 CFR 3.73(b)	1
7) Our check in the amount of \$1,318.00 for the filing fee	
8) Copies of the Sequence Listing on CD-ROM	2
9) Sequence Listing Verification Statement	1
10) Return Receipt Postcard	



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: )  
)  
Inventor(s) : Jean-Baptiste Dumas Milne Edwards ; )  
Aymeric Duclert ; Lydie Bougueleret )  
Serial No. : ) Art Unit : Unassigned  
)  
Filed : **July 11, 2001** ) Examiner : Unassigned  
)  
Title : COMPLEMENTARY DNAs )  
)  
)

**SEQUENCE SUBMISSION STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Two (2) copies of the Sequence Listing in computer readable form on CD-ROMs as required by 37 C.F.R. § 1.52(e), § 1.77(b)(4), § 1.821(e) and/or § 1.96(c) are submitted herewith.

As required by 37 C.F.R. § 1.821(f), the data on each of the enclosed disks are identical.

Respectfully submitted,

Dated: July 10, 2001

By: Aaron Scalia  
Aaron Scalia  
Genset Corporation  
10665 Sorrento Valley Road  
San Diego, CA 921217  
(858) 597-2600